

# **EXHIBIT 273**

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF MASSACHUSETTS  
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5 STUDENTS FOR FAIR ADMISSIONS, INC.,  
6 Plaintiff,

7 v.

No. 1:14-cv-14176

8 PRESIDENT AND FELLOWS OF  
9 HARVARD COLLEGE  
10 (HARVARD CORPORATION),  
11 Defendant.  
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16 VIDEO DEPOSITION of WILLIAM FITZSIMMONS  
17 Boston, Massachusetts  
18 August 3, 2017  
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23 Reported by:

24 Dana Welch, CSR, RPR, CRR, CRC

25 Job #127104

1 FITZSIMMONS

2 A. Not off the top of my head.

3 MS. ELLSWORTH: Can we take a quick break.

4 We've been going a little over an hour.

5 MR. STRAWBRIDGE: We can take a break.

6 THE VIDEOGRAPHER: Time now is 0916.

7 We're off the record.

8 (Proceedings interrupted at 9:16 a.m. and  
9 reconvened at 9:30 a.m.)

10 THE VIDEOGRAPHER: Time now is 0930.

11 We're on the record.

12 BY MR. STRAWBRIDGE:

13 Q. During the break, Mr. Fitzsimmons, did you  
14 speak with your lawyers about your answers to the  
15 questions in this deposition?

16 A. Only in general terms.

17 Q. What types of general terms?

18 A. Mostly that they could not -- they did not  
19 want to discuss what I did.

20 Q. The substance of your testimony, is that  
21 what you're saying?

22 A. Not on substance.

23 Q. Okay. We were talking about the searches  
24 that Harvard purchases from various standardized  
25 testing companies before the break. And you said

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2 in the last few years, some socioeconomic divisions  
3 of the search is available; is that correct?

4 A. Yes.

5 Q. Is that socioeconomic? Is that just by,  
6 I guess, how is that socioeconomic division made?

7 MS. ELLSWORTH: Objection.

8 A. I haven't seen the -- I'd have to say I  
9 don't know precisely.

10 Q. Do you know, for example, if it's by ZIP  
11 Code?

12 MS. ELLSWORTH: Objection.

13 A. I don't.

14 Q. Okay. Do you know whether or not it's by,  
15 you know, reported income level?

16 MS. ELLSWORTH: Objection.

17 A. I don't.

18 Q. You just don't know one way or another?

19 A. Not precisely.

20 Q. Okay. Does Harvard now purchase swaths of  
21 testing results by socioeconomic status?

22 MS. ELLSWORTH: Objection.

23 A. I don't know precisely.

24 Q. You don't know whether it does or not?

25 A. No.